United Nations / International Maritime Organization

Conference of Plenipotentiaries on a Draft Convention on Maritime Liens and Mortgages

Distr.
GENERAL

A/CONF.162/1
2 December 1992

Original: ENGLISH

Geneva, 19 April 1993
Items 4 and 5 of the provisional agenda

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK OF THE CONFERENCE

Provisional agenda, annotations to the provisional agenda and suggestions for the organization of the work of the Conference

Note by the secretariats of UNCTAD and IMO

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II. ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1: Opening of the Conference

The Conference will be opened on Monday 19 April 1993 at 3.00 pm. An informal meeting of Heads of Delegations will be held at 11.00 am.

Item 2: Election of the President

Rule 6 of the draft provisional rules of procedure (A/CONF.162/2) provides that the Conference shall elect a President from among the representatives. The Conference may wish to elect the President immediately after the opening of the Conference.

Item 3: Adoption of the rules of procedure

The draft rules of procedure prepared by the UNCTAD and IMO secretariats are contained in A/CONF.162/2. They are based on the rules of procedure adopted at other conferences convened by the United Nations and by the International Maritime Organization.

Item 4: Adoption of the agenda

The provisional agenda of the Conference (see Section I above) has been drawn up by the secretariats of UNCTAD and IMO.

Item 5: Organization of the work of the Conference

A period of three weeks, from 19 April to 7 May 1993, has been provided for the consideration by the Conference of the draft articles for a convention on maritime liens and mortgages.

The first and second plenary meetings of the Conference, to be held on Monday 19 April 1993 at 3.00 pm and Tuesday 20 April at 10.00 am, may be expected to deal with the following items of the provisional agenda: 1. Opening of the Conference: 2. Election of the President: 3. Adoption of the rules of procedure; 4. Adoption of the agenda; 5. Organization of the work of the Conference; 6. Election of other officers; 7(a) Appointment of a Credentials Committee; and general statements on agenda item 8.

Item 8 of the provisional agenda, "Preparation and adoption of a convention on maritime liens and mortgages", is expected to take up most of the time of the Conference and it is suggested that consideration of this item could begin on Tuesday 20 April 1993 at 3.00 pm.

Rule 46 of the provisional rules of procedure provides that the Conference may establish main committees as required. The Conference may wish to consider establishing one Main Committee to deal with the entire set of draft articles, including final clauses.

According to rule 48 of the provisional rules of procedure the Conference may establish such other committees and working groups as it deems necessary for the performance of its functions. The Conference may wish to consider the establishment of a Drafting Committee which would be entrusted with the task of redrafting articles or groups of articles on the basis of directions given

by the Main Committee and would report back to that Committee. The Conference, when establishing the Drafting Committee, may also wish to entrust the drafting of the Final Act and a preamble for the convention to the Drafting Committee with the request that the texts so drafted be submitted directly to the Plenary of the Conference.

Throughout the Conference, facilities will be available for morning and afternoon meetings, with interpretation. It is suggested that, as a rule, meetings in the morning be held from 10.00 am to 1.00 pm, and in the afternoon from 3.00 pm to 6.00 pm. Limited facilities will be available for meetings of regional groups as may be required.

A tentative schedule of meetings of the Plenary and the Main Committee is suggested in Part III of this note.

Item 6: Election of other officers

In accordance with rule 6 of the provisional rules of procedure, it is suggested that, after the election of the President, the following officers should be elected: (i) the Rapporteur-General of the Conference; (ii) the Chairman of the Main Committee; (iii) (seven) Vice-Presidents. These officers shall be elected with due regard to equitable geographical distribution and shall constitute the General Committee.

(a) Appointment of a Credentials Committee

Rule 4 of the provisional rules of procedure provides that a Credentials Committee of nine members shall be appointed at the beginning of the Conference. Its composition shall be based on that of the Credentials Committee of the General Assembly of the United Nations at its forty-seventh session, which consisted of the following member States: Argentina, Barbados, Burundi, China, Kenya, New Zealand, Papua New Guinea, Russian Federation and United States of America.

It is suggested that, should any of the above States not be represented at the Conference, the regional group concerned would be requested to nominate a replacement.

(b) Report of the Credentials Committee

Rule 4 of the draft provisional rules of procedure further provides that the Credentials Committee shall examine the credentials of representatives and report to the Conference without delay.

Item 8: Preparation and adoption of a convention on maritime liens and mortgages

The General Assembly, by resolution 46/213, decided to convene a United Nations/International Maritime Organization Conference of Plenipotentiaries on a Draft Convention on Maritime Liens and Mortgages during the first half of 1993 for a period of three weeks. The Conference is to consider the draft convention and to embody the results of its work in a convention on maritime liens and mortgages (paragraph 2 of General Assembly resolution 46/213). The General Assembly further requested the Secretaries-General of UNCTAD and IMO

to make the necessary arrangements, within existing resources, for holding the Conference at Geneva and to submit to the Conference all relevant documentation, including the rules of procedure of the Conference (ibid., paragraph 4).

In accordance with that request, the Conference will have before it the following documents:

- The text of the draft convention on maritime liens and mortgages, including provisions on final clauses, prepared by the Joint UNCTAD/IMO Intergovernmental Group of Experts on Maritime Liens and Mortgages and Related Subjects (A/CONF.162/4, also contained in document JIGE (VI)/8)

- The final report of the Joint Intergovernmental Group of Experts on Maritime Liens and Mortgages and Related Subjects (TD/B/C.4/AC.8/27, LEG/MLM/27, JIGE(VI)/8)

- The report of the Joint UNCTAD/IMO Intergovernmental Group of Experts on Maritime Liens and Mortgages and Related Subjects on its sixth session (TD/B/C.4/AC.8/26, LEG/MLM/26, JIGE(VI)/7)

- Comments by Governments and by intergovernmental and non-governmental organizations on the draft convention on maritime liens and mortgages (A/CONF.162/3).

It is suggested that the text of the draft convention on maritime liens and mortgages, including provisions on final clauses, prepared by the Joint UNCTAD/IMO Intergovernmental Group of Experts on Maritime Liens and Mortgages and Related Subjects, should be the basic proposals for consideration by the Conference (see rule 29 of the provisional rules of procedure). It is further suggested that other proposals, including amendments, be submitted as early as possible during the Conference.

Following the adoption of a convention on maritime liens and mortgages, representatives may wish to sign the Final Act of the Conference and the Convention. Governments wishing to empower their representatives to sign the Final Act and the Convention at the Conference should ensure that their credentials to parcitipate in the Conference state specifically that they are formally authorized for this purpose.

Item 9: Consideration and adoption of final resolutions

Under this agenda item the Conference may wish to consider resolutions, if any, in connection with the adoption of a convention on maritime liens and mortgages. It is suggested that such resolutions also be annexed to the Final Act.

III. TENTATIVE SCHEDULE OF MEETINGS FOR THE CONFERENCE

Item 8 of the provisional agenda is expected to take up most of the time of the Conference. The secretariats of UNCTAD and IMO, therefore, have prepared the following schedule of meetings for consideration by the Conference.

FIRST WEEK
(19 - 23 April 1993)

Monday 19 April	Tuesday 20 April	Wednesday 21 April	Thursday 22 April	Friday 23 April
11 am Informal meeting of Heads of Delegation	10 am PLENARY Items 2 - 7(a) (unfinished business) Item 8 - General Statements	10 am MAIN COMMITTEE Item 8 (continued)	10 am MAIN COMMITTEE Item 8 (continued)	10 am MAIN COMMITTEE Item 8 (continued)
3 pm PLENARY Opening of Conference 2. Election of President 3. Adoption of rules of procedure 4. Adoption of the agenda 5. Organization of work 6. Election of other officers 7(a) Appointment of Credentials Committee	3 pm MAIN COMMITTEE Election of Vice-Chairman 8. Preparation of a convention on maritime liens and mortgages	3 pm MAIN COMMITTEE Item 8 (continued)	3 pm MAIN COMMITTEE Item 8 (continued)	3 pm MAIN COMMITTEE Item 8 (continued) 3 pm CREDENTIALS COMMITTEE Election of Chairman 7. Credentials

SECOND WEEK
(26 - 30 April 1993)

Monday 26 April	Tuesday 27 April	Wednesday 28 April	Thursday 29 April	Friday 30 April
10 am MAIN COMMITTEE Item 8 (continued)	10 am MAIN COMMITTEE Item 8 (continued)	10 am MAIN COMMITTEE Item 8 (continued)	10 am MAIN COMMITTEE Item 8 (continued)	10 am MAIN COMMITTEE Item 8 (continued)
3 pm MAIN COMMITTEE Item 8 (continued)	3 pm MAIN COMMITTEE Item 8 (continued)	3 pm MAIN COMMITTEE Item 8 (continued)	3 pm MAIN COMMITTEE Item 8 (continued)	3 pm MAIN COMMITTEE Item 8 (continued)

THIRD WEEK
(3 - 7 May 1993)

Monday 3 May	Tuesday 4 May	Wednesday 5 May	Thursday 6 May	Friday 7 May
10 am MAIN COMMITTEE Item 8 (continued)	10 am MAIN COMMITTEE Item 8 (continued)	10 am MAIN COMMITTEE Final meeting	[Processing of documents]	
3 pm MAIN COMMITTEE Item 8 (continued) 3 pm CREDENTIALS COMMITTEE Adoption of repott	3 pm MAIN COMMITTEE Item 8 (continued)	No meetings [Processing of documents]	[Processing of documents]	PLENARY 7(b) Report of the Credentials Committee 8. Adoption of a convention on maritime liens and mortgages 9. Consideration and adoption of final resolutions 10. Other business 11. Adoption of the report of the Conference Closing statements Signing of Final Act